

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

v.

15-CR-149-FPG-JJM

FRANK R. PARLATO, JR.

Defendants.

NOTICE OF MOTION AND MOTION FOR BAIL REVOCATION

PLEASE TAKE NOTICE that the United States of America hereby moves the Court for an Order revoking and/or modifying the defendant's Release Order pursuant to Title 18, United States Code, Sections 3142(c)(3) and 3148(b), or for such other relief as may be proper. The motion is based upon the accompanying Affidavit of Assistant United States Attorney Elizabeth R. Moellering.

DATED: Buffalo, New York, October 6, 2017.

JAMES P. KENNEDY, JR.
Acting United States Attorney

BY: /s/ ELIZABETH R. MOELLERING
Assistant United States Attorney
United States Attorney's Office
Western District of New York
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Buffalo, New York 14202
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Defendants.

AFFIDAVIT

STATE OF NEW YORK)
COUNTY OF ERIE) SS:
CITY OF BUFFALO)

ELIZABETH R. MOELLERING, being duly sworn, deposes and states:

1. I am an Assistant United States Attorney for the Western District of New York assigned to the prosecution of the above-referenced case. This affidavit is submitted in support of the government's motion to revoke defendant's bail.

2. On November 24, 2015, the Court released defendant, Frank R. Parlato, subject to certain conditions, including that the defendant shall "restrict travel to WDNY, SDFL, unless court permission is granted to travel elsewhere." (Docket No. 4).

3. On August 8, 2017, the defendant, Frank R. Parlato, violated his conditions of release by traveling, without the Court's permission, to Clifton Park, New York, in the Northern District of New York. The defendant wrote about his travel in his online blog which

is published at www.frankreport.com/2017/08/08/frank-parlato-available-to-meet-in-clifton-park-with-concerned-espians and www.frankreport.com/2017/08/08/frank-parlato-invites-keith-raniere-to-meet-at-public-forum. These articles are attached to this Affidavit as Exhibit A.

4. On the basis of the foregoing, the defendant has failed to comply with the conditions of his release.

WHEREFORE, pursuant to Title 18, United States Code, Sections 3142(c)(3) and 3148(b), the government requests that the Court revoke or modify the defendant's Release.

/s/ ELIZABETH R. MOELLERING
Assistant United States Attorney
United States Attorney's Office
Western District of New York
138 Delaware Avenue
Buffalo, New York 14202
716/843-5872
elizabeth.moellering@usdoj.gov

Subscribed and sworn to before me

this 6th day of October, 2017.

/s/ Kara L. Kern
KARA L. KERN, COMMISSIONER OF DEEDS
In And For The City Of Buffalo, New York.
My Commission Expires Dec. 31, 2018